IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 875 of 2007(D)

PETITIONERS:

1. **SHERLY GEORGE,**
   KALLOLIKKAL HOUSE, W/O. K.V.JOSEPH, AGED 46,
   PARIYARAM P.O., THOTTAKKAD, KOTTAYAM DISTRICT.

2. **BELLA D' SILVA, W/O.MAESY D'SILVA,**
   NADUVILEPARAMBIL HOUSE, VADUTHALA P.O.,COCHIN-23.

3. **SHEEJAKUMARI,**
   KADAKAPPATTIL HOUSE, PUTHENTHARA P.O.,
   NEENDAKARA, KOLLAM DISTRICT.

4. **SMITHA T.NAIR,**
   SMITHA COTTAGE, VENKODI P.O.,
   PATTAPPARA, TRIVANDRUM-36.

5. **RAMANI K.,**
   KAMPISSERY HOUSE, KADUVANAL P.O.,
   VALLIKUNNAM, MAVELIKKARA.

BY ADV. SRI.JOHNSON MANAYANI

RESPONDENTS:

1. **STATE OF KERALA,**
   REPRESENTED BY ITS SECRETARY, SOCIAL WELFARE
   DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. **THE DIRECTOR,**
   SOCIAL WELFARE DEPARTMENT, TRIVANDRUM.

3. **KERALA PUBLIC SERVICE COMMISSION,**
   REPRESENTED BY ITS SECRETARY, PATTOM P.O.,
   TRIVANDRUM.

BY GOVERNMENT PLEADER SRI.BIJOY CHANDRAN
BY ADV.SRI.P.C.SASIDHARAN SC., PSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.875 OF 2007-D

Judgment

The petitioners were candidates, who were included in the rank list published by the Public Service Commission for appointment to the post of ICDS Supervisor. The list expired in 2002. Since their turn did not arise, the petitioners did not get appointment. They claim that since there are vacancies, they should be appointed on contract basis. In support of that submission, they reply n Exts.P1 and P2 Judgments of this Court.

2. The 2nd respondent has filed a statement. In paragraph 2 of the said statement, it is stated as follows :

> *"It is submitted that as per the Special Rules, 25% of the vacancies of ICDS Supervisors are ear-marked for direct recruitment from among Anganwadi Workers. There is a rank list in force for the above purpose, published by the Public Service Commission. As per interim order in Writ Petition (C) Nos.205/2006 and 4351/2006, this Hon'ble Court has directed to report vacancies to the Public Service Commission for filling from the above said list, for making good, dearth, if any, in this category, with reference to the cadre strength. In compliance with the directions, all the available vacancies are being reported to the Public Service Commission to be filled up by direct recruitment from the list prepared for direct recruitment from*

Anganwadi Workers."

The petitioners have no legal right to claim contract appointment and the respondents do not owe any duty to them in this regard. Since the vacancies are going to be filled through the Public Service Commission, the petitioners cannot have any grievance. Accordingly, the Writ Petition is closed.

04.06.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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